

Before the
COPYRIGHT ROYALTY JUDGES
Washington, D.C.

In the Matter of

**Distribution Proceeding
Cable TV 2017**

Docket No. 18-CRB-0009-CD (2017)

**MOTION OF THE ALLOCATION PHASE PARTIES FOR
PARTIAL DISTRIBUTION OF 2017 CABLE ROYALTY FUNDS**

The undersigned representatives of all the Allocation Phase (formerly “Phase I”) claimant categories to which Section 111 cable royalties have been allocated in prior cable royalty allocation proceedings (“Allocation Phase Parties”) hereby move the Copyright Royalty Judges (“Judges”) to order a partial distribution of 40% of the 2017 cable royalty funds (the “2017 Cable Funds”) to the Allocation Phase Parties.¹

According to the Licensing Division of the Copyright Office, as of October 31, 2018, the amount of the 2017 Cable Funds available for distribution totaled approximately \$203,938,256.19.² Based on this amount, a 40% partial distribution of the 2017 Cable Funds would total approximately \$81,575,302.48. The circumstances warrant a partial distribution of 40% of the 2017 Cable Funds as soon as feasible.

¹ The Allocation Phase Parties do not intend for this motion to be a stipulation among themselves as to any procedural or substantive issue concerning the final distribution of the 2017 Cable Funds.

² See Growth in the Copyright Royalty Funds (October 31, 2018) (Unaudited), which was provided via e-mail from Vincent Murzinski of the Licensing Division to Michael Kientzle on December 12, 2018, and which is attached hereto as Exhibit A.

I. THE JUDGES HAVE AUTHORITY TO ORDER PRECONTROVERSY PARTIAL DISTRIBUTIONS

Section 111 of the Copyright Act favors the early distribution of cable royalties. *See* 17 U.S.C. § 111(d)(4)(C). Chapter 8 of the Copyright Act vests the Judges with ample statutory authority to order the precontroversy distribution of cable royalties. In the Copyright Royalty Judges Program Technical Corrections Act, Congress amended Section 801(b)(3)(C) to clarify that a partial distribution of royalties can be made at any time after the filing of claims. *See* Pub. L. No. 109-303 §§ 3, 5, 109th Cong., 2d Sess. (2006), 120 Stat. 1478. Congress reaffirmed the Judges' authority to order partial distributions of statutory royalties in advance of the declaration of a controversy. Section 801(b)(3)(C) provides:

Notwithstanding section 804(b)(8), the Copyright Royalty Judges, at any time after the filing of claims under section 111 . . . may, upon motion of one or more of the claimants and after publication in the *Federal Register* of a request for responses to the motion from interested claimants, make a partial distribution of such fees, if, based upon all responses received during the 30-day period beginning on the date of such publication, the Copyright Royalty Judges conclude that no claimant entitled to receive such fees has stated a reasonable objection to the partial distribution, and all such claimants –

- (i) agree to the partial distribution;
- (ii) sign an agreement obligating them to return any excess amounts to the extent necessary to comply with the final determination on the distribution of the fees made under subparagraph (B);
- (iii) file the agreement with the Copyright Royalty Judges; and
- (iv) agree that such funds are available for distribution.

17 U.S.C. § 801(b)(3)(C).

Here, the statutorily prescribed deadline for filing claims has now passed. Furthermore, the Allocation Phase Parties (1) agree to the partial distribution; (2) agree that the requested

funds are available for distribution; (3) agree to sign the separate agreement contemplated in Section 801(b)(3)(C)(ii) obligating them to return any excess royalty amounts received, in a form to be provided by the Judges or the Copyright Office; and (4) agree to file such an agreement with the Judges or as otherwise directed.

II. DISTRIBUTION OF 40% OF THE 2017 CABLE FUNDS IS REASONABLE AND APPROPRIATE

The Judges have consistently granted the Allocation Phase Parties' motions for partial distributions of the annual cable royalty funds, most recently a 50% partial distribution of the 2016 cable royalty funds. *See Order Granting Motion for Partial Distribution*, Docket No. 17-CRB-0017-CD (2016) (July 30, 2018) (finding request for partial distribution of 50% of the 2016 cable royalties to be "reasonable and appropriate"); *Order Granting Motion for Partial Distribution*, Docket No. 16-CRB-0020 CD (2015) (June 6, 2017) (finding request for partial distribution of 60% of the 2015 cable royalty funds to be "reasonable and appropriate"); *Order Granting Motion for Partial Distribution*, Docket No. 16-CRB-0009 CD (2014) (Aug. 15, 2016) (finding request for partial distribution of 60% of the 2014 cable royalty funds to be "reasonable and appropriate"); *Order Granting Motion of Phase I Claimants for Partial Distribution*, Docket No. 14-CRB-0010 CD (2013) (May 28, 2015) (finding requested 60% partial distribution to be "reasonable and appropriate"); *see also Order Granting Motion of Phase I Claimants For Partial Distribution*, Docket No. 14-CRB-0007 CD 2010-12 (Dec. 23, 2014) (finding requested 60% partial distribution of 2012 cable funds to be "reasonable and appropriate"); *Order Granting Phase I Claimants' Motion for Partial Distribution of 2011 Cable Royalty Funds*, Docket No. 2012-9 CRB CD 2011 (Mar. 13, 2013) (granting Phase I Parties' request for a 50% partial distribution of the 2011 cable royalty funds); *Order Granting Phase I Claimants' Motion for Partial Distribution of 2010 Cable Royalty Funds*, Docket No. 2012-4 CRB CD 2010 (Sept. 14,

2012) (granting Phase I Parties' request for a 50% partial distribution of the 2010 cable royalty funds).

Indeed, the Copyright Office has previously determined that partial distributions well in excess of 40% were reasonable and appropriate under the circumstances. *See, e.g., Order*, Docket No. 94 CARP (92-CD & 93-CD) at 2, 5 (Sept. 26, 1994) (granting motion for partial distribution of 80% of 1992 and 1993 cable royalty funds) ("September 26, 1994 Order"); *Order*, Docket No. 2000-6 CARP CD 98 (Oct. 12, 2000) (granting Phase I Parties' motion for partial distribution of 75% of the available cable royalties on deposit for the 1998 cable royalty fund and acknowledging that retention of 25% of the available royalties would suffice to resolve any outstanding controversies related to those funds); *Distribution Order*, Docket No. 2000-7 CARP SD 96-98 (Oct. 12, 2000) (granting Phase I Parties' request for partial distribution of 75% of the available satellite royalties on deposit for the 1996, 1997, and 1998 satellite royalty funds). Thus, the Allocation Phase Parties do not concede through this motion that a 40% distribution is the maximum partial distribution of royalties that should be made from the 2017 Cable Funds. The Allocation Phase Parties reserve the right to move for additional partial distributions from the 2017 Cable Funds as may be appropriate after the nature and extent of any *bona fide* disputes come into better focus.

A partial distribution of 40% of the 2017 Cable Funds would ensure that the Allocation Phase Parties are not deprived of a substantial amount of the royalties that belong to them during a period that may be several years long. In the past, the Copyright Office has recognized that the earliest possible receipt of the maximum available royalties by copyright owners is an important objective of the Copyright Act. *See, e.g.,* September 26, 1994 Order at 2, 5 (Office distributed 80% of the 1992 and 1993 cable royalties, noting that "the intent of the law favored early

distribution”); *see also Order*, Docket No. 94 CARP (92-CD & 93-CD) at 2 (Sept. 12, 1994) (“September 12 , 1994 Order”) (referring to the “overall intent of the subparagraphs in [Section 111(d)(4)] in favor of early distributions”). Accordingly, pre-proceeding distributions of cable royalties under Section 111(d)(4)(C) may be made in circumstances where there may be a significant delay between the filing of claims and the initiation of proceedings. *See, e.g.*, September 12, 1994 Order at 2; September 26, 1994 Order at 2; *see also Order*, Docket No. 2007-3 CRB CD 2004-2005 at 3-4 (Apr. 10, 2008).

A distribution of at least 40% of the 2017 Cable Funds to the Allocation Phase Parties would ensure that they are not further deprived of a substantial amount of the royalties paid for the use of their copyrighted works. The Allocation Phase Parties have agreed to the amount of the proposed partial distribution. Furthermore, the Allocation Phase Parties submit that the undistributed amount, which totals over \$122,362,953, along with each party’s commitment to repay any excess funds will be more than sufficient to satisfy any remaining controversies involving these funds.

Finally, because the amounts allocated to each Allocation Phase Party will remain confidential, the Allocation Phase Parties further move to have the distribution made in bulk to a common agent for all Parties. In this regard, the Allocation Phase Parties have entered into a confidential distribution agreement with the Office of the Commissioner of Baseball (“Baseball”), agreeing that Baseball will serve as the common agent for the distribution of royalties among the individual Allocation Phase Parties.

CONCLUSION

For the reasons set forth above, the Allocation Phase Parties respectfully request that the Judges, pursuant to 17 U.S.C. § 801(b)(3)(C), publish for comment in the Federal Register the proposed partial distribution of 40% of the royalties contained in the 2017 Cable Funds, and thereafter grant this Motion and order a 40% partial distribution of the 2017 Cable Funds to the Allocation Phase Parties as soon as feasible.

Respectfully submitted,

PROGRAM SUPPLIERS

/s/ Gregory Olaniran/MK
Gregory O. Olaniran
D.C. Bar No. 455784
Lucy Holmes Plovnick
D.C. Bar No. 488752
Alesha M. Dominique
D.C. Bar No. 990311
MITCHELL SILBERBERG & KNUPP
LLP
1818 N Street N.W., 8th Floor
Washington, D.C. 20036
Telephone: (202) 355-7817
Fax: (202) 355-7887
goo@msk.com
lhp@msk.com
amd@msk.com

PUBLIC TELEVISION CLAIMANTS

/s/ Ronald Dove/MK
Ronald G. Dove, Jr.
DC Bar No. 430533
Lindsey Tonsager
DC Bar No. 983925
Dustin Cho
DC Bar No. 1017751
COVINGTON & BURLING LLP
One CityCenter
850 Tenth Street, N.W.
Washington, D.C. 20268
Telephone: (202) 662-5685
Fax: (202) 662-6291
rdove@cov.com

JOINT SPORTS CLAIMANTS

/s/ Michael Kientzle

Daniel A. Cantor

DC Bar No. 457115

Michael Kientzle

DC Bar No. 1008361

Bryan Adkins

DC Bar No. 988408

ARNOLD & PORTER KAYE

SCHOLER LLP

601 Massachusetts Avenue, N.W.

Washington, D.C. 20001

202.942.5000 (voice)

202.942.5999 (facsimile)

Daniel.Cantor@arnoldporter.com

Michael.Kientzle@arnoldporter.com

Bryan.Adkins@arnoldporter.com

NATIONAL ASSOCIATION OF BROADCASTERS

/s/ John Stewart/MK

John I. Stewart, Jr.

DC Bar No. 913905

David Ervin

DC Bar No. 445013

Ann Mace

DC Bar No. 980845

Brendan Sepulveda

DC Bar No. 1025074

CROWELL & MORING LLP

1001 Pennsylvania Ave., NW

Washington, DC 20004-2595

Telephone: (202) 624-2685

Fax: (202) 628-5116

jstewart@crowell.com

MUSIC CLAIMANTS

AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS

Samuel Mosenkis/MK

Samuel Mosenkis

NY Bar No. 2628915

ASCAP

250 West 57th Street, 14th Floor

New York, NY 10107

Telephone: (212) 621-6450

Fax: (212) 787-1381

smosenkis@ascap.com

SESAC, INC.

/s/ John C. Beiter/MK

John C. Beiter

TN Bar No. 12564

Beiter Law Firm, PLLC

P.O. Box 120433

Nashville, TN 37212

Telephone: (615) 488-0088

john@beiterlaw.com

/s/ Christos Badavas/MK

Christos P. Badavas

NY Bar No. 2673838

SESAC

152 West 57th Street

57th Floor

New York, NY 10019

Telephone: (212) 586-3450

cbadavas@sesac.com

BROADCAST MUSIC, INC.

/s/ Joseph DiMona/MK

Joseph J. DiMona

DC Bar No. 413159

BROADCAST MUSIC, INC.

7 World Trade Center

250 Greenwich Street

New York, NY 10007-0030

Telephone: (212) 220-3149

Fax: (212) 220-4447

jdimona@bmi.com

Brian A. Coleman/MK

Brian A. Coleman

DC Bar No. 459201

Jennifer T. Criss

DC Bar No. 981982

DRINKER BIDDLE & REATH LLP

1500 K Street, NW – Suite 1100

Washington, DC 20005

Telephone: (202) 842-8800

Fax: (202) 842-8465

brian.coleman@dbr.com

jennifer.criss@dbr.com

CANADIAN CLAIMANTS GROUP

/s/ L. Kendall Satterfield/MK

L. Kendall Satterfield
DC Bar No. 393953
Satterfield PLLC
1629 K Street, Suite 300
Washington, DC 20006
Tel: (202) 355-6432
lksatterfield@satterfield-llc.com

NATIONAL PUBLIC RADIO

/s/ Gregory Lewis/MK

Gregory A. Lewis
DC Bar No. 420907
NATIONAL PUBLIC RADIO, INC.
1111 North Capitol Street, NE
Washington, DC 20002
Telephone: (202) 513-2050
Fax: (202) 513-3021
glewis@npr.org

DEVOTIONAL CLAIMANTS

/s/ Arnold Lutzker/MK

Arnold P. Lutzker
DC Bar No. 101816
Benjamin Sternberg
DC Bar No. 1016576
Jeannette M. Carmadella
DC Bar No. 500586
LUTZKER & LUTZKER LLP
1233 20th Street, NW, Suite 703
Washington, DC 20036
Telephone: (202) 408-7600
Fax: (202) 408-7677
arnie@lutzker.com

/s/ Matthew MacLean/MK

Matthew J. MacLean
DC Bar No. 479257
Michael A. Warley
DC Bar No. 1028686
Jessica T. Nyman
D.C. Bar No. 1030613
PILLSBURY WINTHROP SHAW PITTMAN LLP
1200 Seventeenth Street, NW
Washington DC 20036
Tel: (202) 663-8183
Fax: (202) 663-8007
Matthew.MacLean@pillsburylaw.com

Dated: March 15, 2019

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of March, 2019, a copy of the foregoing Joint Motion of Allocation Phase Claimants for Partial Distribution of the 2017 Cable Royalty Funds was sent by Federal Express to the following:

Edward S. Hammerman
HAMMERMAN, PLLC
5335 Wisconsin Avenue, NW
Washington, DC 20015

Brian D. Boydston
PICK & BOYDSTON LLP
10786 Le Conte Avenue
Los Angeles, CA 90024

/s/ Troy Strunkey
Troy Strunkey

EXHIBIT A

GROWTH IN THE COPYRIGHT ROYALTY FUNDS
As of October 31, 2018
UNAUDITED

Cable	Distributed	Funds Available for Distribution	Fund Total	Percent Growth
2018		\$ 107,334,337.39	\$ 107,334,337.39	
2017		\$ 203,938,256.19	\$ 203,938,256.19	
2016	\$ 102,002,181.50	\$ 102,555,658.17	\$ 204,557,839.67	-4.943%
2015	\$ 128,040,785.17	\$ 87,153,039.10	\$ 215,193,824.27	-8.803%
2014	\$ 140,154,676.95	\$ 95,811,147.06	\$ 235,965,824.01	3.311%
2013	\$ 138,395,725.79	\$ 90,007,179.37	\$ 228,402,905.16	3.386%
2012	\$ 134,066,515.57	\$ 86,855,927.16	\$ 220,922,442.73	4.456%
2011	\$ 107,884,228.96	\$ 103,614,163.02	\$ 211,498,391.98	4.919%
2010	\$ 102,818,300.87	\$ 98,764,099.65	\$ 201,582,400.52	16.890%
2009	\$ 170,088,397.45	\$ 2,366,485.43	\$ 172,454,882.88	9.303%
2008	\$ 154,527,763.14	\$ 3,248,775.85	\$ 157,776,538.99	7.636%
2007	\$ 143,394,165.22	\$ 3,189,338.22	\$ 146,583,503.44	-1.148%
2006	\$ 145,065,367.74	\$ 3,220,292.89	\$ 148,285,660.63	0.441%
2005	\$ 144,451,100.07	\$ 3,184,130.70	\$ 147,635,230.77	-0.867%
2004	\$ 145,775,896.67	\$ 3,150,612.22	\$ 148,926,508.89	5.022%
2003	\$ 141,173,880.20	\$ 631,530.52	\$ 141,805,410.72	4.280%
2002	\$ 135,155,195.04	\$ 829,788.07	\$ 135,984,983.11	4.470%
2001	\$ 129,366,086.15	\$ 800,238.55	\$ 130,166,324.70	0.314%
2000	\$ 127,834,273.81	\$ 1,925,158.47	\$ 129,759,432.28	1.620%
1999	\$ 127,689,960.96	\$ 1,192.31	\$ 127,691,153.27	7.612%
1998	\$ 118,658,863.52		\$ 118,658,863.52	-29.003%
1997	\$ 167,131,874.33		\$ 167,131,874.33	-13.505%
1996	\$ 193,226,378.73		\$ 193,226,378.73	4.957%
1995	\$ 184,100,108.79		\$ 184,100,108.79	0.856%
1994	\$ 182,537,983.61		\$ 182,537,983.61	-7.976%
1993	\$ 198,358,895.89		\$ 198,358,895.89	-4.141%
1992	\$ 206,927,361.79		\$ 206,927,361.79	4.896%
1991	\$ 197,268,160.18		\$ 197,268,160.18	3.277%
1990	\$ 191,008,817.18		\$ 191,008,817.18	-18.148%
1989	\$ 233,357,881.12		\$ 233,357,881.12	10.753%
1988	\$ 210,700,327.26		\$ 210,700,327.26	20.731%
1987	\$ 174,520,466.90		\$ 174,520,466.90	34.168%
1986	\$ 130,075,787.76		\$ 130,075,787.76	13.697%
1985	\$ 114,405,851.01		\$ 114,405,851.01	9.630%
1984	\$ 104,356,049.26		\$ 104,356,049.26	23.681%
1983	\$ 84,375,487.60		\$ 84,375,487.60	90.100%
1982	\$ 44,384,827.90		\$ 44,384,827.90	24.785%
1981	\$ 35,569,141.41		\$ 35,569,141.41	26.782%
1980	\$ 28,055,312.82		\$ 28,055,312.82	18.059%
1979	\$ 23,763,757.07		\$ 23,763,757.07	34.339%
1978	\$ 17,689,455.56		\$ 17,689,455.56	
Total	\$ 5,258,357,290.95	\$ 998,581,350.34	\$ 6,256,938,641.29	

DART	Distributed	Funds Available for Distribution	Fund Total	Percent Growth
2018		\$ 127.57	\$ 127.57	-97.886%
2017		\$ 6,034.21	\$ 6,034.21	630.092%
2016		\$ 826.50	\$ 826.50	-98.336%
2015	\$ 1,488.75	\$ 48,180.86	\$ 49,669.61	-75.038%
2014	\$ 128,918.13	\$ 70,059.52	\$ 198,977.65	-68.302%
2013	\$ 617,473.98	\$ 10,254.23	\$ 627,728.21	-65.162%
2012	\$ 1,773,951.80	\$ 27,881.84	\$ 1,801,833.64	-11.128%
2011	\$ 1,953,545.12	\$ 73,913.66	\$ 2,027,458.78	9.899%
2010	\$ 1,637,955.86	\$ 206,886.06	\$ 1,844,841.92	27.521%
2009	\$ 1,410,798.19	\$ 35,902.45	\$ 1,446,700.64	-33.081%
2008	\$ 2,154,514.44	\$ 7,346.72	\$ 2,161,861.16	13.906%
2007	\$ 1,894,081.77	\$ 3,857.34	\$ 1,897,939.11	-41.200%
2006	\$ 3,227,807.86		\$ 3,227,807.86	26.634%
2005	\$ 2,548,927.56		\$ 2,548,927.56	-2.230%
2004	\$ 2,607,058.05		\$ 2,607,058.05	-15.883%
2003	\$ 3,099,332.52		\$ 3,099,332.52	-10.116%
2002	\$ 3,448,148.32		\$ 3,448,148.32	-11.233%
2001	\$ 3,884,471.69		\$ 3,884,471.69	-23.941%
2000	\$ 5,107,180.05		\$ 5,107,180.05	38.933%
1999	\$ 3,675,998.75		\$ 3,675,998.75	75.997%
1998	\$ 2,088,669.58		\$ 2,088,669.58	157.116%

The financial information set forth above is unaudited and may be subject to adjustments and modifications that may be identified during the course of audit work.

GROWTH IN THE COPYRIGHT ROYALTY FUNDS
As of October 31, 2018
UNAUDITED

		Distributed	Funds Available for Distribution	Fund Total	Percent Growth
1997	\$	812,345.26	\$	812,345.26	63.567%
1996	\$	496,643.45	\$	496,643.45	23.617%
1995	\$	401,760.68	\$	401,760.68	-17.252%
1994	\$	485,520.73	\$	485,520.73	10.372%
1993	\$	439,896.42	\$	439,896.42	272.549%
1992	\$	118,077.39	\$	118,077.39	
Total	\$	44,014,566.35	\$	491,270.96	\$ 44,505,837.31

Satellite		Distributed	Funds Available for Distribution	Fund Total	Percent Growth
2018			\$ 5,854,620.75	\$ 5,854,620.75	
2017			\$ 12,423,112.81	\$ 12,423,112.81	
2016			\$ 13,364,632.21	\$ 13,364,632.21	-84.012%
2015			\$ 61,972,845.36	\$ 61,972,845.36	-29.868%
2014	\$	49,674,657.48	\$ 33,919,190.79	\$ 83,593,848.27	-7.655%
2013	\$	52,654,917.89	\$ 35,711,173.51	\$ 88,366,091.40	-2.384%
2012	\$	53,678,135.41	\$ 36,845,705.88	\$ 90,523,841.29	-6.967%
2011	\$	48,856,634.93	\$ 48,445,803.79	\$ 97,302,438.72	0.197%
2010	\$	49,215,429.68	\$ 47,895,477.90	\$ 97,110,907.58	5.078%
2009	\$	90,408,343.07	\$ 2,009,719.13	\$ 92,418,062.20	-2.157%
2008	\$	93,882,974.54	\$ 572,580.28	\$ 94,455,554.82	1.577%
2007	\$	90,929,269.91	\$ 2,059,479.52	\$ 92,988,749.43	0.542%
2006	\$	90,430,345.69	\$ 2,057,173.84	\$ 92,487,519.53	5.930%
2005	\$	85,276,466.54	\$ 2,033,355.55	\$ 87,309,822.09	8.433%
2004	\$	78,517,338.21	\$ 2,002,118.80	\$ 80,519,457.01	8.763%
2003	\$	71,282,625.08	\$ 2,749,363.70	\$ 74,031,988.78	-2.143%
2002	\$	72,843,718.51	\$ 2,809,373.43	\$ 75,653,091.94	-10.052%
2001	\$	81,155,220.12	\$ 2,951,905.81	\$ 84,107,125.93	4.728%
2000	\$	77,177,988.28	\$ 3,132,436.14	\$ 80,310,424.42	-17.905%
1999	\$	97,275,934.39	\$ 550,808.48	\$ 97,826,742.87	-20.491%
1998	\$	123,038,811.72		\$ 123,038,811.72	147.266%
1997	\$	49,759,622.45		\$ 49,759,622.45	39.929%
1996	\$	35,560,579.56		\$ 35,560,579.56	33.887%
1995	\$	26,560,160.09		\$ 26,560,160.09	22.372%
1994	\$	21,704,529.50		\$ 21,704,529.50	45.515%
1993	\$	14,915,705.85		\$ 14,915,705.85	79.212%
1992	\$	8,322,921.38		\$ 8,322,921.38	121.151%
1991	\$	3,763,460.28		\$ 3,763,460.28	8.806%
1990	\$	3,458,868.93		\$ 3,458,868.93	28.035%
1989	\$	2,701,496.64		\$ 2,701,496.64	
Total	\$	1,473,046,156.13	\$	319,360,877.68	\$ 1,792,407,033.81

Jukebox		Distributed	Funds Available for Distributed	Fund Total	Percent Growth
1989	\$	6,752,337.38		\$ 6,752,337.38	0.305%
1988	\$	6,731,811.22		\$ 6,731,811.22	2.908%
1987	\$	6,541,565.53		\$ 6,541,565.53	22.247%
1986	\$	5,351,103.43		\$ 5,351,103.43	-2.989%
1985	\$	5,515,961.19		\$ 5,515,961.19	-7.956%
1984	\$	5,992,715.25		\$ 5,992,715.25	89.192%
1983	\$	3,167,527.51		\$ 3,167,527.51	-4.618%
1982	\$	3,320,896.88		\$ 3,320,896.88	180.660%
1981	\$	1,183,245.97		\$ 1,183,245.97	-3.612%
1980	\$	1,227,583.32		\$ 1,227,583.32	-9.729%
1979	\$	1,359,885.45		\$ 1,359,885.45	21.220%
1978	\$	1,121,834.39		\$ 1,121,834.39	
Total	\$	48,266,467.52		\$ 48,266,467.52	

Grand Total	\$	6,823,684,480.95	\$	1,318,433,498.98	\$ 8,142,117,979.93
--------------------	-----------	-------------------------	-----------	-------------------------	----------------------------

The financial information set forth above is unaudited and may be subject to adjustments and modifications that may be identified during the course of audit work.

Proof of Delivery

I hereby certify that on Friday, March 15, 2019 I provided a true and correct copy of the Motion of the Allocation Phase Parties for Partial Distribution of 2017 Cable Royalty Funds to the following:

circle god network inc d/b/a david powell, represented by david powell served via Electronic Service at davidpowell008@yahoo.com

ASCAP, represented by Sam Mosenkis served via Electronic Service at smosenkis@ascap.com

SESAC, Inc., represented by John C. Beiter served via Electronic Service at john@beiterlaw.com

Canadian Claimants, represented by Lawrence K Satterfield served via Electronic Service at lksatterfield@satterfield-pllc.com

Global Music Rights, LLC, represented by Scott A Zebrak served via Electronic Service at scott@oandzlaw.com

Program Suppliers, represented by Gregory O Olaniran served via Electronic Service at goo@msk.com

Devotional Claimants, represented by Arnold P Lutzker served via Electronic Service at arnie@lutzker.com

Public Television Claimants, represented by Ronald G. Dove Jr. served via Electronic Service at rdove@cov.com

Major League Soccer, L.L.C., represented by Edward S. Hammerman served via Electronic Service at ted@copyrightroyalties.com

Broadcast Music, Inc. (BMI), represented by Jennifer T. Criss served via Electronic Service at jennifer.criss@dbr.com

Commercial Television Claimants / National Association of Broadcasters, represented by John Stewart served via Electronic Service at jstewart@crowell.com

National Public Radio, represented by Gregory A Lewis served via Electronic Service at
glewis@npr.org

Multigroup Claimants, represented by Brian D Boydston served via Electronic Service at
brianb@ix.netcom.com

Signed: /s/ Michael E Kientzle